

Exhibit 13



GOVERNOR OF PUERTO RICO
Pedro R. Pierluisi

HOUSE OF REPRESENTATIVES
OF
PUERTO RICO
OFFICE OF ACTS AND RECORDS
[Illegible]
2022 MAR - 4 P 4:36

March 4, 2022

Hon. Rafael Hernández Montañez
Speaker
House of Representatives

Re: House Bill 3 (Conference)

Dear Mr. Speaker Hernández Montañez:

The Legislative Assembly of Puerto Rico recently passed **H. B. 3 (Conference)**, whose title provides:

To amend Articles 2.3, 2.12, 2.18, and 2.21, eliminate Article 2.13, of Act 4-2017, better known as the "Labor Transformation and Flexibility Act"; amend Articles 4, 6, 8, 10, 11, 14, and 16 of Act No. 379 of May 15, 1948, as amended; amend Sections 1, 4, and 5 of Act No. 289 of April 9, 1946, as amended; amend subsection (b) of Article 3, subsections (a), (d), (k) and (q) of Article 4, as well as subsection (a) of Article 10 of Act 180-1998, as amended; amend Articles 1 and 7 of Act No. 148 of June 30, 1969, as amended; amend Articles 1, 2, 3, 5, 7, 8, 11, and 12, and eliminate Article 3-A of Act No. 80 of May 30, 1976, as amended; and amend Article 3 of Act No. 100 of June 30, 1959, as amended; in order to restitute and broaden labor rights applicable to private companies; decrease the probationary period, to reestablish presumption and severance pay for wrongful dismissal, and the formula to calculate the accrual of vacation and sick leave, extending said benefit to part-time employees; reestablish the prescriptive period to claim benefits derived from an employment contract; and for other related purposes.

In principle, this bill seems to be commendable and positive. However, it has become a defective piece of legislation due to drafting errors and due to including areas of conflict. Therefore, having studied and analyzed the version of H. B. 3, which you sent to us for signing, I am unable to sign it.

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It is fitting to point out that, by means of the letters dated October 31 and December 1, 2021, and January 5, 2022, I informed you of the need to seek consensus to be able to endorse House Bill 3. I specified the areas of the bill with which I agreed, and I stated that, if the measure were put to vote in the Senate, exactly as it was passed by the House, I could not endorse it. Although the House of Representatives reached consensus to: (1) establish a uniform probationary period of six (6) months for exempt and non-exempt employees; (2) to standardize at seven hundred (700) hours worked, the requirement applicable to private company employees to be entitled to Christmas bonus; (3) to reestablish the working month at one hundred fifteen (115) hours, as a requirement to accrue vacation leave, and that said accrual be at the rate of 1 ¼ days for each month worked, the bill was not reviewed, resulting in it still containing language that is prejudicial to workers' rights.

The language we deem defective includes the following points:

- In prejudice to workers, the bill intends to amend Act No. 379 of May 15, 1948, known as the "Act to Establish the Work Shift in Puerto Rico," upon eliminating the language that establishes the workers' right to file civil actions in cases where employers fail to compensate regular hours and overtime, pursuant to Law. It also proposes the elimination of the language that establishes the employees' right to claim, in such actions, the unpaid amounts, and the right to an equal sum to cover damages, costs, expenses and attorney fees of the proceedings. Also eliminated is the language establishing the power of the Secretary of Labor to intervene in favor of workers in salary disputes, under the provisions of this statute.
- The bill repeals Art. 2.13 of Act 4-2017, permanently changing the current hermeneutics of interpreting local labor rules in harmony with federal law. This would mean we would be put in an anachronic position in order to be able to conform our statutes to the federal laws

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- applicable to this extremely important topic.
- The text of the conference committee report contains drafting errors that may create inconsistent results when applying the purpose sought. A clear example of this occurs with the proposed amendments to Act No. 148, of June 30, 1969, as amended, known as the "Private Company Christmas Bonus Act," which subvert the way in which the payment is calculated.
 - It modifies the way in which overtime is paid in cases where the employer and employee reach an agreement to work a weekly shift of forty (40) hours, with shifts of ten (10) hours per day. Likewise, it creates a special compensation of overtime for students, paying, at double time, hours worked the day of rest. Under these circumstances, the employee who does not study and work on his/her day of rest, collects payment at time and a half per hour worked, while the student collects payment at double time. This type of provision creates an unreasonable classification between the same workers and imposes an additional financial burden on the company for conditions not related to its operation. Likewise, it discourages the recruitment of our young people, who are, in the vast majority, the people who would form part of this new classification.
 - The immediate entry into effect of the act does not permit employers to adjust their systems, calculate the impact of the provisions of the bill, and be able to prepare to put into force the mandates of the proposed law.

Under such circumstances, I requested the House of Representatives of Puerto Rico to vote, as soon as possible, on a petition so that, together with the consent of the Senate, this measure be returned before the Legislative Assembly. In this way, it will be possible to ensure that this bill is free of drafting and procedural errors, implicit repeals, and language that is detrimental to Puerto Rican workers. As requested, the Chamber acted swiftly. Notwithstanding, the Senate declined to act.

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Wherefore, and given that the provisions I cited above are an impediment to being able to enact H. B. 3, I hereby inform you that I have given an express veto to this bill.

Sincerely,
[Signature]



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TRANSLATOR'S CERTIFICATE OF TRANSLATION

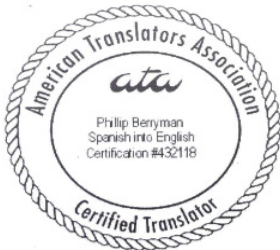
Translation from: Spanish (Puerto Rico) into English (US)
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I, PHILLIP BERRYMAN, ATA-certified Spanish-English #432118, acting as translator at TARGEM Translations Inc., a NEW YORK City corporation, with its principal office at 185 Clymer Street, Brooklyn, NY, 11211, USA, certify that:

the English translated document is a true and accurate translation of the original Spanish and has been translated to the best of my knowledge.

Original Document Name: **PC0003 (Veto Expreso)**

Signed this 15th day of March, 2022



Verify at www.atanet.org/verify

A handwritten signature in black ink that reads 'Phillip Berryman'.

Phillip Berryman

